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SITUATION OF HUMAN RIGHTS IN ESTONIA AND LATVIA

Report of the Third Committee

Rapporteur: Mrs. Rosa Carmina Recinos DE MALDONADO (Guatemala)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 24 September 1993, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-eighth session the item entitled "Situation of human rights in Estonia and Latvia" and to allocate it to the Third Committee.

2. The Committee considered the item, in conjunction with items 114 and 172, at its 36th to 55th meetings, on 17 to 19, 22 to 24, 26, 29 and 30 November and 1, 3, 6 and 8 December 1993. An account of the Committee's discussion of the item is contained in the relevant summary records (A/C.3/48/SR.36-55).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on the situation of human rights in Estonia and Latvia (A/48/511);

(b) Letter dated 9 February 1993 from the Permanent Representatives of Estonia and Latvia to the United Nations addressed to the Secretary-General (A/48/82);

(c) Letter dated 23 April 1993 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General (A/48/156);

(d) Letter dated 11 June 1993 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General (A/48/208);

(e) Letter dated 23 June 1993 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General (A/48/220);

(f) Letter dated 25 June 1993 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General (A/48/223);

(g) Letter dated 9 July 1993 from the Permanent Representative of Estonia to the United Nations addressed to the Secretary-General (A/48/259);

(h) Letter dated 8 November 1993 from the Permanent Representative of Latvia to the United Nations addressed to the Secretary-General (A/C.3/48/16);

(i) Letter dated 23 November 1993 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General (A/C.3/48/18);

(j) Letter dated 29 November 1993 from the Permanent Representative of Latvia to the United Nations addressed to the Secretary-General (A/C.3/48/19);

(k) Letter dated 29 November 1993 from the Permanent Representative of Estonia to the United Nations addressed to the Secretary-General (A/C.3/48/20);

4. At the 40th meeting, on 23 November, the Assistant Secretary-General for Human Rights made an introductory statement (see A/C.3/48/SR.40).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.3/48/L.37 AND REV.1 AND 2, AND AMENDMENTS A/C.3/48/L.78 AND A/C.3/48/L.83

5. At the 40th meeting, on 23rd November, the representative of the Russian Federation introduced a draft resolution entitled "Situation of human rights in Estonia and Latvia" (A/C.3/48/L.37), which read as follows:

"The General Assembly,

"Recalling its resolution 47/115 of 16 December 1992,

"Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 1/ and the International Covenants on Human Rights, 2/

1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

"Taking into account the provisions of the Declaration on the Human Rights of Individuals Who are not Nationals of the Country in which They Live, 3/

"Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms for all and to fulfil the obligations they have undertaken under the various international instruments in this field,

"Being convinced that respect for human rights is an inalienable component of maintaining and promoting good-neighbourly relations between States,

"Taking into account the reported violations of human rights and discriminatory practices with respect to the Russian-speaking population in Estonia and Latvia,

"Taking note of the statement of the Chairman of the Commission on Human Rights of 10 March 1993 with respect to the situation in Estonia and Latvia,

"Taking into consideration the findings and recommendations by various international fact-finding missions sent by the United Nations, regional intergovernmental organs and non-governmental organizations to Estonia and Latvia,

"1. Takes note of the report of the Secretary-General; 4/

"2. Notes with concern the persistence of serious problems which involve large groups of population in Estonia and Latvia;

"3. Welcomes the emerging dialogue between different communities in Estonia and Latvia aimed at confidence-building among the people living in these countries;

"4. Welcomes also the cooperation that the Governments of Estonia and Latvia have extended to various international fact-finding missions;

"5. Calls upon the Governments of Estonia and Latvia to implement fully the recommendations of impartial international experts made on the basis of findings of various international fact-finding missions to these countries;

"6. Invites all States and parties concerned to continue their efforts to search for acceptable solutions to the existing problems and in conformity with principles of justice and international law in the field of human rights;

3/ Resolution 40/144, annex.

4/ A/48/511.

"7. Requests the Secretary-General to keep Member States informed of the progress in the field of human rights in Estonia and Latvia and to submit a report thereon to the General Assembly at its forty-ninth session under the item entitled 'Situation of human rights in Estonia and Latvia'."

6. On 30 November, the Russian Federation submitted a revised draft resolution (A/C.3/48/L.37/Rev.1), which contained the following changes:

(a) The sixth to eighth preambular paragraphs were revised to read:

Taking note of the human rights problems that affect the significant number of the Russian-speaking population in Estonia and Latvia,

Noting the statement of the Chairman of the Commission on Human Rights of 10 March 1993 with respect to the situation in Estonia and Latvia,

Commending the Governments of Estonia and Latvia for the invitation of and cooperation with various international fact-finding missions sent by the United Nations, regional intergovernmental organizations and non-governmental organizations that visited Estonia and Latvia with regard to the situation of human rights in these countries,

Expressing its appreciation to the Secretary-General for his rapid response in dispatching fact-finding missions to Estonia and Latvia upon the invitations of the Governments of these countries,

Having considered the reports of the United Nations fact-finding missions to Estonia and Latvia, 4/

(b) The first to third operative paragraphs were revised to read:

1. Takes note of the recommendations of the United Nations fact-finding missions as well as other missions of international experts to Estonia and Latvia made to the Governments of these countries and to the Government of the Russian Federation;

2. Notes the existence of various problems which involve large groups of population in Estonia and Latvia;

3. Welcomes the continuing dialogue between different communities in Estonia and Latvia aimed at confidence-building among the people living in these countries;

(c) The fifth to seventh operative paragraphs were revised to read:

5. Invites the Governments of Estonia and Latvia to take practical measures to implement the recommendations of the Secretary-General as well as other international experts made on the basis of findings of various international fact-finding missions to these countries;

6. Invites all States and parties concerned to foster good-neighbourly relations and to continue their efforts to search for

acceptable solutions to the existing problems and solve the remaining issues in conformity with the principles of justice and international law;

7. Requests all States and parties concerned to work in a constructive manner to observe the recommendations and respect the conclusions of the United Nations and other international fact-finding missions, and also requests the Secretary-General to report to the General Assembly at its forty-ninth session under the item entitled "Situation of human rights in Estonia and Latvia" on the progress in this field.

7. On 30 November, Latvia, also on behalf of Estonia, submitted proposed amendments to draft resolution A/C.3/48/L.37/Rev.1 (A/C.3/48/L.78), which contained the following changes:

(a) A new preambular paragraph was added between the fifth and sixth preambular paragraphs to read:

Noting the issues that have arisen as a result of the populations transferred into Estonia and Latvia,

(b) The sixth and seventh preambular paragraphs were deleted;

(c) In the eighth preambular paragraph, the words "regional intergovernmental organizations and non-governmental organizations" were deleted;

(d) In operative paragraph 1, the words "as well as other missions of international experts" were deleted;

(e) Operative paragraph 2 was revised to read:

Endorses the conclusions of the Secretary-General's report, 4/ inter alia, with regard to problems of different communities in Estonia and Latvia;

(f) Operative paragraphs 5 and 6 were deleted;

(g) Operative paragraph 7 was revised to read:

Requests all States and parties concerned to work in a constructive manner to observe the recommendations and respect the conclusions of the United Nations reports on the situation of human rights in Estonia and Latvia.

8. At its 54th meeting, on 8 December, the Committee had before it a revised draft resolution (A/C.3/48/L.37/Rev.2).

9. At the same meeting, the Committee had before it a proposed amendment to draft resolution A/C.3/48/L.37/Rev.2 submitted by Latvia, also on behalf of Estonia (A/C.3/48/L.83), operative paragraph 4 was replaced with

Requests all States and parties to work in a constructive manner to observe the recommendations and respect the conclusions of the United Nations reports on the situation of human rights in Estonia and Latvia.

10. Also at the same meeting, the Chairman read out a further amendment to operative paragraph 4 of revised draft resolution A/C.3/48/L.37/Rev.2, whereby the words "report to the General Assembly at its forty-ninth session on the progress in the field of human rights in Estonia and Latvia" were replaced with the words "keep Member States informed of the situation of human rights in Estonia and Latvia, and decides to consider this item at one of its future sessions".

11. At the same meeting, the Committee adopted revised draft resolution A/C.3/48/L.37/Rev.2, as orally revised (see para. 14).

12. After the adoption of the revised draft resolution, the representatives of the Russian Federation and Estonia made statements (see A/C.3/48/SR.54).

13. In the light of the adoption of the revised draft resolution as orally revised, the Committee took no action on the proposed amendment to draft resolution A/C.3/48/L.37/Rev.2 (A/C.3/48/L.83).

III. RECOMMENDATION OF THE THIRD COMMITTEE

14. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Situation of human rights in Estonia and Latvia

The General Assembly,

Recalling its resolution 47/115 of 16 December 1992,

Taking into account the provisions of the Declaration on the Human Rights of Individuals Who Are not Nationals of the Country in which They Live, 5/

Having considered the report of the Secretary-General, 6/

1. Takes note of the report of the Secretary-General and of the conclusions and recommendations of the United Nations fact-finding missions to Estonia and Latvia; 6/

2. Welcomes the cooperation that the Governments of Estonia and Latvia have extended to various international fact-finding missions;

5/ Resolution 40/144, annex.

6/ A/48/511.

3. Notes the existence of unresolved issues that involve large groups of population of different ethnic origin;

4. Requests the Secretary-General to keep Member States informed of the situation of human rights in Estonia and Latvia, and decides to consider this item at one of its future sessions.